OMNI Claims[1]

PRODUCT CHARACTERISTICS

1. "Vector Tobacco has the rights to a process that enables the production of tobacco that is virtually free of . . . tobacco specific nitrosamines."

   Sources: Tab 51 -- Vector Feb. 13 Press Release
   Tab 45 -- Vector June 15 Press Release
   Tab 53 -- Vector Sept. 28 SEC filing

2. "We got [nitrosamines] down by 20 to 40 percent."

   Source: Tab 30 -- LeBow quote in Oct. 19 Miami Daily Business Review

3. "Vector Tobacco's new OMNI product is subject to independent laboratory verification of the reduction of PAHs and TSNAs in the product prior to launch."

   Source: Tab 53 -- Vector Sept. 28 SEC filing

4. "The filter removes nearly all the benzene from the cigarette's smoke and also makes significant cuts in other chemicals."

   Source: Tab 28 -- WSJ Article, Nov. 5, 2001

CARCINOGEN YIELD REDUCTIONS

5. "[OMNI] significantly reduce[s] carcinogenic PAHs, nitrosamines, and catechols".

   Sources: Tabs 3 & 20-25 -- consumer ads
   Tab 1 -- back of package
   Tab 6 -- trade ads
   Tab 5 -- trade Q and A
   (in some cases, it is stated that "reductions are in comparison to similar competitive brand styles")

[1] In some venues, such as on the package labels and on consumer advertisements, but not in others, such as merchandise displays, Vector has included a "disclaimer." The disclaimer states: "**WARNING**: Smoking is addictive and dangerous to your health. Reductions in carcinogens (PAHs, nitrosamines, and catechols) have NOT been proven to result in a safer cigarette. This product produces tar, carbon monoxide, and other harmful by-products."

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Source: https://www.industrydocuments.ucsf.edu/docs/mpjk0001

6. "reduced carcinogens"

   Sources: Tab 2 -- side of carton (claim is not clearly qualified to PAHs, nitrosamines, and catechols)
   Tabs 3 & 20-25 -- consumer advertisements
   Tab 11 - OMNI shipper display (no connection made to PAHs, nitrosamines, catechols)
   Tab 13 -- website (home.asp) (claim is not clearly qualified to PAHs, nitrosamines, and catechols)

7. "[OMNI produces a] significant reduction of carcinogen levels".

   Source: Tabs 3 & 15 -- Le Bow letter – website(prodBenLetter.asp)/People ad (no mention of specific constituents in letter)

8. "OMNI. The first reduced carcinogen cigarette."

   Sources: Tabs 3 & 15 -- Le Bow letter – website prodBenLetter.asp)/People ad (no mention of specific constituents in letter)
   Tab 27 -- Vector November 5 Press Release

9. [OMNI] is a "reduced carcinogen cigarette".

   Source: Tab 16 -- website (prodFaqs.asp)

10. "The three groups of carcinogens that have been significantly reduced [in OMNI] are polycyclic aromatic hydrocarbons (PAHs), nitrosamines and catechols."

    Source: Tab 16 -- website (prodFaqs.asp)

11. "Compared to any other cigarette currently on the market, OMNI delivers less carcinogens to the smoker."

    Source: Tab 14 -- website (prodBenefits.asp) (no identification of those carcinogens on this page)

12. "[Vector says OMNI is] nearly free of carcinogens".

    Source: Tab 43 -- July 2 Capital Markets Report (not a Vector quote)

13. Certain classes of compounds, namely, PAHs, nitrosamines, catechols, and organics, "are reduced by 15% to 60% in OMNI."

    Source: Tab 27 -- Vector November 5 Press Release

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Source: https://www.industrydocuments.ucsf.edu/docs/mpjk0001

14. "According to Vector studies, the palladium process reduces some Omni carcinogens by 15 percent to 60 percent."

    Source: Tab 30 -- Oct. 19 Miami Daily Business Review

15. The palladium catalyst reduces "PAHs by 15% to 60%."

    Source: Tab 28 -- Nov. 5 WSJ Article (not a Vector quote)

16. "The palladium process destroys polycyclic aromatic hydrocarbons (PAH), the carcinogens that form behind the burning tip."

    Source: Tab 30 -- Oct. 19 Miami Daily Business Review (this is not attributed as a company statement)

17. Omni "cuts down on a tobacco-specific nitrosamine, known as NNK, that is considered an especially potent lung carcinogen. Levels of another nitrosamine, however, aren't reduced."

    Source: Tab 28 -- Nov. 5 WSJ Article (not a Vector quote)

18. "Omni technology uses a proprietary process in which regular tobacco is treated with a complex catalytic system, thereby significantly reducing the carcinogen levels. Additionally, Omni employs the use of an innovative carbon filter, which reduces harmful organic compounds in smoke . . ."

    Source: Tab 27 -- Vector November 5 Press Release

19. Carcinogens are reduced by (1) the application to the tobacco of complex catalysts; (2) an advanced tobacco curing process; and (3) filtration.

    Source: Tab 5 -- trade Q and A

20. Vector scientists have "discovered a reproducible and proprietary catalytic process that significantly reduces the concentration of carcinogenic PAHs and catechols."

    Source: Tab 26 -- website (research.asp)

21. OMNI produces a "slight increase in NNN (nitrosonornicotine) and an increase in NO (nitric oxide)."

    Source: Tab 27 -- Vector November 5 Press Release

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Source: https://www.industrydocuments.ucsf.edu/docs/mpjk0001

CARCINOGENESIS CLAIMS

22. "[PAHs, nitrosamines, and catechols] are carcinogenic compounds that are found in tobacco and cigarette smoke."

    Source: Tab 5 -- trade Q and A

23. "The scientific community has identified [PAHs, nitrosamines, and catechols] as cancer-causing agents."

    Source: Tab 5 -- trade Q and A

24. Catechol "molecules have been shown to play both direct and indirect roles in the carcinogenic process."

    Source: Tab 26 -- website (research.asp)

25. "[T]he human body's natural metabolic processes convert nitrosamines into powerful carcinogens."

    Source: Tab 26 -- website (research.asp)

26. "PAHs are formed when less harmful molecules are exposed to the high temperatures encountered when a cigarette is smoked."

    Source: Tab 26 -- website (research.asp)

27. "[PAHs, nitrosamines, and catechols] are the major causes of lung cancer."

    Sources: Tabs 3 & 20-25 -- consumer ads
    Tab 1 -- back of package
    Tab 6 -- trade ads
    Tab 5 -- trade Q and A

28. "[T]he medical community has identified specific carcinogens that are a major cause of lung cancer in smokers."

    Source: Tabs 3 & 15 -- Le Bow letter -- website (prodBenLetter.asp)/People ad (no mention of specific constituents on this page)

29. The "medical community has identified [PAHs, nitrosamines, catchols, and organics] as the major causes of lung cancer in smokers . . . "

    Source: Tab 27 -- Vector November 5 Press Release

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Source: https://www.industrydocuments.ucsf.edu/docs/mpjk0001

30. "[P]olycyclic aromatic hydrocarbons (PAHs), nitrosamines and catechols [are] the major causes of lung cancer in smokers."

    Source: Tab 16 -- website (prodFaqs.asp)

31. "Researchers [have] found that of the forty or more known carcinogenic properties of smoke, the polycyclic aromatic hydrocarbons (PAHs), nitrosamines, and catechols were the most harmful."

    Source: Tab 26 -- website (research.asp)

32. "PAHs are considered by many in the health community to be the most severe cancer-causing agent in cigarettes."

    Source: Tab 54 -- Vector Sept. 12 SEC filing.

33. There is "vast" industry and academic research "supporting" OMNI's claims.

    Source:: Tab 26 -- website (research.asp)

34. "There is strong scientific evidence that a quantitative relationship exists between the magnitude of exposure to cigarette smoke and toxins and the incidence of cancer and other tobacco-related diseases."

    Source: Tab 27 -- Vector November 5 Press Release

REDUCED EXPOSURE/RISK CLAIMS

35. "[OMNI] reduce[s] carcinogenic PAHs, nitrosamines, and catechols, which are the major causes of lung cancer."

    Sources: Tabs 3 & 20-25 -- consumer ads
    Tab 1 -- back of package
    Tab 6 -- trade ads
    Tab 5 -- trade Q and A

36. "OMNI has significantly reduced those carcinogens that are the major causes of lung cancer in smokers."

    Sources: Tab 14 -- website (prodBenefits.asp) (there is no identification of what those carcinogens are on this page)
    Tab 16 -- website (prodFaqs.asp) (substitutes "the carcinogens" for "those carcinogens")

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Source: https://www.industrydocuments.ucsf.edu/docs/mpjk0001

37. OMNI "greatly reduce[s] many of" "the specific carcinogens" that "the medical community has identified" as being "a major cause of lung cancer in smokers".

Source: Tabs 3 & 15 -- Le Bow letter -- website prodBenLetter.asp)/People ad (no mention of specific constituents on this page)

38. The "reduced carcinogen levels" in OMNI "are a logical and important first step" in "reduc[ing] the health risks of smoking".

Sources: Tab 26 -- website (research.asp)
Tab 27 -- Vector November 5 Press Release

39. The "significant reduction of carcinogen levels" in OMNI is "a major step in the right direction" of "reduc[ing] health risks".

Source: Tabs 3 & 15 -- Le Bow letter -- website (prodBenLetter.asp)/People ad (no mention of specific constituents on this page)

40. "[W]e believe we've eliminated what the health community considers to be the most serious cancer-causing agents . . ."

Sources: Tab 51 -- Le Bow written statement reported in Feb. 13 Dow Jones Business News
Tab 32 -- LeBow quote in Oct. 9 The State (Columbia S.C.)

41. Vector "says that it has developed a cigarette without . . . the most potent and abundant cancer-causing toxins in tobacco."

Source: Tab 47 -- March 28 Lancaster New Era

42. "In OMNI, Vector Tobacco has greatly reduced many of the specific carcinogens that the medical community has identified as the major causes of lung cancer in smokers, including PAHs (polycyclic aromatic hydrocarbons), nitrosamines, and catechols."

Source: Tab 36 -- Vector Sept. 28 Press Release

43. "By producing a cigarette with significantly reduced PAHs and virtually no TSNAs, the two most serious cancer causing agents, we would be giving consumers a new choice about what to smoke."

Source: Tab 52 -- Vector Feb. 13 Press Release

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Source: https://www.industrydocuments.ucsf.edu/docs/mpjk0001

44. OMNI is a "less hazardous cigarette".

    Source: Tab 54 -- Vector Sept. 12 SEC filing

45. Vector "hope[s] [that Omni] will decrease the incidence of tobacco-related diseases, including cancer, in smokers."

    Source: Tab 27 -- Vector November 5 Press Release

46. "It is reasonable to expect that Omni will reduce exposure to a number of potent tobacco toxins and quite possibly reduce harm to both smokers and those exposed to second-hand smoke."

    Source: Tab 27 -- Vector November 5 Press Release

47. OMNI is "said to have a reduced cancer causing agent in the smoke to below carcinogenic levels."

    Source: Tab 48 -- March 12 Marketing Intelligence Service

48. "The PAHs are reduced below the level that is known to initiate carcinomas."

    Source: Tab 52 -- Vector Feb. 13 Press Release

49. "The PAHs are reduced below the level that has been shown to produce carcinomas in animal experiments."

    Sources: Tabs 53-54 -- Vector Sept. 12 & 28 SEC filings

50. "Vector Tobacco is in the business of developing new cigarette products designed to . . . reduce cancer causing agents in cigarettes to below the level that has been shown to produce carcinomas in animal experiments . . ."

    Sources: Tabs 54-55 -- Vector July 12 & Sept. 12 SEC filings

51. "Vector Tobacco is currently involved with the development of a new cigarette product[] designed to . . . reduce cancer causing agents in cigarettes to below the level that initiates carcinomas in mouse skin-painting tests . . ."

    Sources: Tab 56 -- Vector June 1 SEC filing
    Tab 58 -- Vector April 2 SEC filing (limits similar statement to PAHs in one place but not in another)

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Source: https://www.industrydocuments.ucsf.edu/docs/mpjk0001

52. "The amount of [palladium] inhaled by smokers is insignificant and poses no health risk."

    Source: Tab 28 -- Nov. 5 WSJ Article

53. OMNI "can still give you emphysema and heart trouble . . . but we're working on that. We think we can fix that."

    Source: Tab 30 -- LeBow quote in October 19 Miami Daily Business Review

PRODUCT SUPERIORITY/EQUIVALENCE

54. "[Vector] strongly believe[s] that if you do smoke, OMNI is the best alternative."

    Sources: Tab 13 -- website (home.asp)
    Tab 15 -- Le Bow letter -- website (prodBenLetter.asp)
    Tab 36 -- see also Vector Sept. 28 Press Release ("better alternative")

55. "If you smoke, OMNI is clearly the best alternative" considering "the health risks of smoking".

    Source: Tab 14 -- website (prodBenefits.asap)

56. "In taste tests, OMNI found to taste as good as, if not better than, the leading national brand."

    Sources: Tab 13 -- website (home.asp) w/out clause "in taste tests"
    Tab 14 -- website (prodbenefits.asp)
    Tab 16 -- website (prodFaqs.asp)
    Tab 17 -- website (prodTasteTst.asp) leads with "The taste of OMNI was found..." (also contains other claims related to purchase intentions and taste comparison)
    Tab 26 -- Vector Sept. 28 Press Release (includes more detailed statements)

57. "OMNI is the first reduced-carcinogen cigarette that tastes just like any other premium cigarette."

    Source: Tab 16 -- website (prodFaqs.com)

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Source: https://www.industrydocuments.ucsf.edu/docs/mpjk0001

58. "OMNI smokes and burns just like any other premium cigarette."

Sources: Tab 13 -- website (home.asp)
Tab 14 -- website (prodbenefits.asp)
Tab 16 -- website (prodFaqs.asp)
Tab 36 -- Vector Sept. 28 Press Release

59. "Most tobacco companies have considered PAHs to be an inevitable result of the combustion process."

Source: Tab 26 -- website (research.asp)

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Source: https://www.industrydocuments.ucsf.edu/docs/mpjk0001